

May 2, 1977

LB 544, 536

PRESIDENT: The bill is advanced. I understand that we have 536 now.

CLERK: Read LB 536. There are committee amendments by Senator Rasmussen's Government Committee.

PRESIDENT: Senator Rasmussen.

SENATOR RASMUSSEN: Mr. President, members of the body, I did not attend this hearing. I would turn it over to Senator Duis, whose amendments they were and he can give us a run down on them.

PRESIDENT: Chair recognizes Senator Duis.

SENATOR DUIS: Thank you sir. I didn't realize that I was going to be called up here. This bill was brought to us and there was no opposition to it at all. The only amendments that we made here in this particular bill were those that were necessary to make the bill read properly. So, I would ask for the adoption of the amendments. I ask for the adoption of the amendments.

PRESIDENT: Alright, Senator Warner, anything?

SENATOR WARNER: I wasn't sure Senator Duis, did you indicate that the Board of Pardons was left out of the body of the bill but was in the title and it was just to make the two conform.

SENATOR DUIS: Yes, yes, put it in form. We actually put the Emergency Clause on it for you also.

PRESIDENT: Then the question then gentlemen and ladies is the adoption of the committee amendments. Record your vote. Alright, we have to revote. The question again is the adoption of Senator Rasmussen...or the committee amendments. Record your vote. Record.

CLERK: 28 ayes, 0 nays on the motion to adopt.

PRESIDENT: Alright, now the bill itself, Senator Warner.

SENATOR WARNER: Mr. President, I move that LB 536 be advanced to E & R Initial. This is a part of the intent bill for LB 531, or is necessary as the result of the intent bill which was LB 537. What this bill does is directs the Board of Parole and the Board of Pardons to both comply with the administrative procedures act by having rules and regulations established. Those of you who did not attend the hearing will perhaps recall that the legislation was enacted in 1969 covering both of these agencies which exempted them from the administrative procedures act. At no place could we find any rationale for doing it at that time and later in 73 when legislation that was enacted that required all agencies to apply the two sections of law which exempted these agencies were not included in LB 134 probably was an oversight. At least we could find no reason for the type of procedure that is being suggested here is now being done in something like 24 states and it also has been recent that the federal government in their procedures in this area have also required the establishment of rules and regulations and I believe that our former